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# **SAME-SEX SEXUALITIES, GENDER VARIANCE, ECONOMY AND LIVELIHOOD IN NEPAL: EXCLUSIONS, SUBJECTIVITY AND DEVELOPMENT**

**Sexuality, Poverty and Law**

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February 2015



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## **SAME-SEX SEXUALITIES, GENDER VARIANCE, ECONOMY AND LIVELIHOOD IN NEPAL: EXCLUSIONS, SUBJECTIVITY AND DEVELOPMENT**

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This case study explores the relationship between socioeconomic opportunity and exclusion in relation to minority gender and sexualities in Nepal. The study, a component of a wider programme on Sexuality, Poverty and Law supported by the Department for International Development (DFID) and undertaken at the Institute of Development Studies (IDS), aims to advance empirically grounded insights and recommendations to address the socioeconomic conditions of sexuality and gender minority peoples, in respect of varied aspects of life experience, subjectivity, self-identity and livelihood. Based on fieldwork conducted in Kathmandu, Nepal, between November 2013 and June 2014 the case study recounts experiences of socioeconomic marginalisation *and* opportunity as encountered and created by people who experience themselves as being different from socially normative conventions of sexuality and gender; in respect of the present research this has specifically entailed focusing on the experiences of transgender people and people who practise same-sex sexualities (and in respect of an understanding that such genders and sexualities are experienced differently by different people and do not represent uniform or singular categorisations). Many of the people who participated in the research evidence a multifaceted array of livelihood strategies as being connected to sexuality and gender difference. Some of these strategies were found to have been taken forward in the context of community-based support projects (for example, associated with non-governmental organisations (NGOs) for sexual and gender minorities) while others were conceived as independent life choices, or experienced as arising out of lack of choice or economic opportunity. In each of these often interconnected circumstances, the relationship between sexuality, gender, economy and livelihood emerges as complex and ambivalent.

The present case study demonstrates that it is not viable to proceed from a singular analytical premise that sexual and gender minority peoples, however defined, self-identified (or indeed not self-identified), are always excluded from socioeconomic opportunities purely on grounds of sexual and gender difference. In Nepal, many people seek to hide same-sexual desire and relationships or gender-variant practices, usually with great difficulty within socially conservative environments. Hence, while findings from the research might support a correlation between stigma and socioeconomic exclusion, the economic effects of living in terms of sexual or gender minority experience are far from straightforward or are a linear result of targeted discrimination against self-identified sexual and gender minority individuals, although such instances also occur. The case study explores this complexity in order to achieve a nuanced understanding of these concerns as they pertain to wider potential synergies in livelihood policy and programming, sexual rights actions, education, awareness-raising initiatives, and community-based support for sexual and gender minority persons.

By way of wider background, it is notable that correlations between same-sex sexualities, transgender experience and economic disadvantage are increasingly explored in a range of international contexts, especially with regard to sexual rights and development practices. Given that the causes of economic hardship are multifaceted in any context, its relationship to gender and sexuality is necessarily intricate. Robert Chambers, for instance, has proposed a range of material and social causes of economic deprivation, stressing, for example, how social norms can effect economic exclusion for those who do not conform to social norms (Chambers 2005).<sup>1</sup> Adaptation of Chambers' model has highlighted how people of minority gender or sexuality experience might be economically disadvantaged by heteronormativity, for example by being excluded from kinship and the economic security that family relationships may afford, and by discrimination in or exclusion from work (*ibid.*). Similarly, Kathryn Rankin's (2004 and 2010) work in Nepal has highlighted how 'free' markets are inherently embedded within complex and changing formations of cultural politics that are rooted within sociocultural value systems and hierarchies, which are by nature

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<sup>1</sup> See Cornwall and Jolly (2006).

patriarchal and heteronormative. Rankin's work has explored this point in relation to gender and 'economies of practice' in order to illuminate how markets and culture are 'mutually embedded' and impact individuals', families' and communities' socioeconomic livelihoods (Rankin 2010). In this respect, both globally and locally there is a growing body of research to suggest that a person's livelihood opportunities and political economies are shaped by both their personal experiences of sexuality and gender and the social contexts in which they are rooted.

In the context of the present study these issues were particularly evident in sexual and gender minority people's early-age experiences in their families and schools. Our own research and that of others has shown that many sexual and gender minority peoples may suffer from discrimination in school, potentially leading to an early exit from, or poor performance within, education (UNDP and USAID 2014: 38; UNDP and Williams Institute 2014: 53; see also UNESCO 2012). This is especially salient in respect of the present research where a number of respondents have indicated that poor performance in school (related to stigma or a felt sense of 'being different') has had an impact on economic opportunity throughout their life-course. School was also a pivotal point in many participants' lives as the arena in which they first began to experience their gender and sexuality as different or marginalised from socially acceptable forms of gender and sexuality, as embodied and expressed by their peers, for example. Many times these early experiences of sexuality and gender as incongruent of social norms shaped participants' livelihood strategies – encouraging them to drop out of school, move to cities, participate in remittance economies, distance themselves from their families' support and (hetero)normative expectations, and so on.

Running counter to such observations, gender and sexual difference might also offer economic opportunities. The present research found that freedom from conventional familial and social expectations can offer openings for economic adaptability, perhaps unfettered by obligations to provide for either natal or marital family. This is not to idealise minority sexuality and gender experiences and their relationship to political economy, nor to minimise the potential trauma that might result from social exclusion and isolation from natal communities. It is also not to say that many gender and sexual minority people may not also marry heterosexually, sometimes willingly or possibly out of pressure or desire to conform to social norms – something that has been especially witnessed globally and commonly found in South Asia (see, for example, Boyce 2014; UNDP and USAID 2014: 43–45). It is important to stress, therefore, that sexual and gender difference may not be related to socioeconomic abjection or exclusion only. Indeed, some opportunities for income may be positively correlated with gender and sexual difference, for example work in community-based organisations and NGOs for sexual and gender minority persons, as well as other private sector industries where a presentation of self in terms of 'sexual or gendered difference' may have economic value or social capital. For example, one gay-identified informant in the present research reported that he originally considered pursuing a career as a hairdresser because that is where he thought gay men could or should work – a thought heavily influenced by both a lack of any other options and role models (Interview with Suresh December 2013). This points to ways in which economic life-ways and sexual subjectivity can be recursive, as people come to intimate understandings of their sexuality in relation to how a sense of same-sex desire (in this instance) may be related to projected (mis)understandings of livelihood options and ways of being-in-the-world predicted on such desires.

Varying circumstances and socioeconomic livelihoods in respect of gender and sexual difference are evident in contemporary Nepal, where over the past 15 years or so significant advances have been made in terms of legal recognition of sexual rights, while many issues pertaining to the marginalisation of sexual and gender minority peoples persist. Indeed, these underlying prejudices have recently surfaced anew at the level of governance. Arbitrary arrests of transgender women and gender-nonconforming men have increased on the grounds of 'public indecency'; sexual and gender minority parliamentary candidates had their candidacies revoked by major political parties immediately prior to the November 2013 election; and recently a new draft of the criminal code supported by international donors and written by Nepal's Ministry of Law and Justice originally included provision for the criminalisation of any 'unnatural' sex (non-penile vaginal sexual intercourse) with up to a year of incarceration and a 20,000 rupee (US\$200) fine – this bill is due to be submitted to parliament for debate in late January 2015 (Draft Civil and Criminal Code, personal correspondence from Bharat Shrestha). These proposals run counter to the progressive legislation concerning sexual and gender minorities passed by the Supreme Court of Nepal in 2007 (see Boyce and Coyle 2013) and have been met by the concerted activism of queer; lesbian, gay, bisexual and transgender (LGBT) and sexual rights organisations from within Nepal and beyond. In these troubling circumstances, sexual rights and recognition exist alongside a difficult relationship to the state and legislature, and uncertain outcomes in respect of economic opportunity and exclusion for sexual and gender minorities.

Moreover, the wider Nepali economy is one where economic opportunity and exclusion, prosperity and abjection exist side by side. Lack of employment and educational opportunities are ubiquitous experiences for many Nepali, especially youth and people from lower socioeconomic classes, who increasingly travel abroad to work in low-paid employment, primarily as unskilled labourers in domestic, service and construction industries. Nepal's remittance economy is now one of the largest in the world; it is estimated that over 25 per cent of Nepal's gross domestic product (GDP) is comprised of remittances (World Bank 2011). Remittances and work within tourism and development sectors have helped to expand the Nepali middle class, mostly in the Kathmandu Valley, but such developments are mainly limited to Nepali with the pre-existing capital to invest and take advantage of the narrow opportunities for economic advancement that are taking shape within the country (see Liechty 2002 for more information on the emergence of Nepal's middle class, associated values, and the formation of 'class' identities). That being said, the large-scale migration of Nepali men and women has led to a rapid influx of new ideas and generated significant social anxieties and debates surrounding the implications such livelihoods have on cultures, communities and families.

In the context of globalising political economies and work patterns, the relationship between sexual and gendered subjectivities, economies, sexual expression, and rights is especially complex: 'While there is no universal (e.g. United Nations-recognised) declaration on sexuality and rights, the field of sexual rights has emerged as an increasingly important configuration since the 1990s, linking work on sexuality, health and feminism to legal praxis and activism for sexual and gender minorities' (Boyce 2014). Against this background, globally, sexual rights have been associated with neo-liberal global economic expansion because changing modes of economic opportunity and employment have considerably affected traditional forms of economy and lifestyles around the world. The resulting social changes may provide new options for young people to leave their natal homes and communities in search of economic opportunities in cities in Nepal, India, or overseas, but such opportunities may not always deliver what they appear to promise.

For example, in Nepal, work in remittance economies has become a rite of passage for young people, especially young men, who may find remittance as an opportunity to provide for their families and live outside of their families' and communities' social expectations with concomitant exposure to new ideas and values in other places (for instance regarding

sexuality). While remittance work available to Nepali is often exploitative and low paying, it has had a profound effect on family dynamics and economies and has allowed for the creation and assertion of new forms of individualism that challenge traditional norms and values. Work and education abroad have become avenues through which individual identities, lifestyles and desires that might otherwise be in conflict with more communal social values can be experienced and inform new 'intimate aspirations,' even as these may be formed in circumstances of economic restraint. These avenues are not exclusive to sexual and gender minority experience, and many heterosexual women and men make use of these opportunities to delay marriage and navigate between traditional social expectations and more modern desires for more individually centred lives and life-choices (Boyce and Coyle 2013; Maycock *et al.* 2014; Interview with Mira Mishra December 2012).

These kinds of socioeconomic changes have been associated with the emergence of queer social spaces and 'LGBT identities' in Nepal particularly because such ways of experiencing the world in terms of sexual self-identity are often correlated to new forms of individualism that emerge through economic transitions and consumerism. Moreover, the influence of globalising media, social networks (e.g. Facebook) and, especially, gay media platforms are important as performative arenas in which sexual and gender identities may be seen, acted on, and rehearsed as aspects of self-presentation – perhaps tailored to expression through the perceived exigencies of these media. Both Planet Romeo and Grindr, for example, are popular online cruising platforms or 'apps' that permit and facilitate new forms of self-presentation and socio-sexual networking among same-sex desiring people (most often men, given the focus of these platforms) in the Kathmandu Valley – something that has only become possible with the emerging and expanding affordability of smart phones beyond the middle classes. Moreover, the impact of HIV in Nepal in the 1990s catalysed new forms of social activism around sexuality, with activism on transgender and male-to-male sexualities and sexual risks in Nepal becoming recognised internationally. This in turn has engendered and influenced wider social spaces (especially, but not only, within the Kathmandu Valley) wherein same-sex desires and transgender experiences have come to be increasingly understood and taken up by people as a basis for self-identity, these being associated with varying forms of transnationally located discourse and practice, as well as with local and regional modes of activism and sociosexual life.

Against the background of these concerns, the present report seeks to offer a perspective on the changing socioeconomic contexts and work opportunities in Nepal as experienced by sexual and gender minority persons – both those who self-identify in these terms (for example as lesbian, gay or in other regionally specific terms such as *meti*), as well as those who experience and practise same-sex desire without necessarily making explicit identity claims. The report particularly seeks to focus on subtle and underlying causes and markers of socioeconomic exclusion in the lives of such people. Exclusion on the basis of sexuality and gender may not always be characterised by poverty, in that economic opportunities and inventiveness may exist in complex ways alongside socioeconomic marginalisation when people seek out various forms of sustainable livelihoods. However, these opportunities do not necessarily mitigate the reality of economic exclusion and may indeed mark some of the more pervasive and insidious social attitudes that prevail alongside employment or prosperity for sexual and gender minority persons. Moreover, we also recognise that economic exclusion on grounds of sexual and/or gender difference may not be extricable from other factors that may affect economic opportunity, such as gender (especially as this impacts work opportunities for girls and women), caste, socioeconomic class and so on. Such variables combine in people's lives and, taken together, can be viewed in terms of their negative and positive impacts on education, livelihood, healthcare and socioeconomic status.

Given the complexity indicated, this report proposes a multifaceted, intersectional and intersectorial approach to analysis of socioeconomic exclusion in the lives of sexual and gender minority peoples, in Nepal and beyond, and especially as related to recommendations for development policy and practice. Our main recommendations are:

- The systemic and underlying factors that contribute to the socioeconomic marginalisation and poverty of sexual and gender minorities should be addressed through interventions that seek to raise awareness, address gender and sexuality-based discrimination and harassment, and promote more inclusive school and work environments. Within this context, schools are vital sites for intervention, as they hold the key towards preventing discrimination that might lead to early dropout from education, and the opportunity for developing positive attitudes towards sexual and gender difference, as well as creating positive associations with masculinity and femininity that eschew violence and discrimination.
- The poverty and poor socioeconomic conditions in which many sexual and gender minority peoples live should be addressed through holistic initiatives that extend beyond skills training; instead, new interventions should address the wider range of factors that perpetuate poverty through the provision of counselling services, capital, career counselling, internships, and workplace sexual harassment and discrimination.
- Initiatives addressing discrimination and socioeconomic marginalisation should be mainstreamed within pre-existing development projects; this can be accomplished by proactively recruiting self-identifying sexual and gender minority staff and ensuring programmes include and are sensitive to the specific factors that affect sexual and gender minority experiences.
- Specifically within the context of Nepal, avenues for people of sexual and gender minority experience to receive formal recognition and certification of their education, skills and qualifications is imperative for chances to obtain employment. Thus, for example, skills training schemes for sexual and gender minority peoples associated with NGOs or community-based organisations ought to be supported by formally recognised certificates or qualifications. This is especially so in a context where people feel explicitly excluded from economic opportunity because of their sexuality or gendered difference.
- More research and rigorous evaluation of interventions are needed in order to inform effective programming. This includes research on effective awareness strategies, widespread perceptions of sexual and gender minorities, additional research on sexual and gender minorities' family dynamics, experiences of education, and effective employment strategies.